

**Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West**

**Minutes April 6, 2007**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, April 6, 2007, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Donnelly-Cohen, Faricy, Lu, Morton, Porter, Wencl, and Messrs. Alton, Bellus, Commers, Cudahy, Dandrea, Gordon, Kramer, Margulies, Nelson, and Spaulding.

**Commissioners Absent:** Mmes. \*McCall, \*Smitten, and Messrs. \*Barrera, \*Goodlow, \*Johnson, \*Rosemark  
  
\*Excused

**Also Present:** Larry Soderholm, Planning Administrator; Tom Beach, LIEP, Patricia James, Allen Lovejoy, Jessica Rosenfeld, Luis Pereira, Christina Danico, Andrew Jacobson, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Introduction of New Member**

Barbara Wencl was introduced as a newly appointed member, but she was not sworn in because the City Clerk was not available for today's meeting.

**II. Approval of minutes March 23, 2007.**

***MOTION:*** Commissioner Kramer moved approval of the minutes of March 23, 2007. Commissioner Cudahy seconded the motion. The motion carried unanimously on a voice vote.

**III. Chair's Announcements**

Chair Alton announced a Planning Commission Party on Wednesday, April 18, 2007. A hand out was distributed.

Chair Alton read a resolution thanking Commissioner Larry Dandrea, who has resigned, for his service on the Commission since 1999. Mr. Dandrea expressed his thankfulness for the opportunity to be on the Commission, to learn so much about the city and local government, and to get to know his fellow Commissioners and the planning staff.

***MOTION:*** Commissioner Faricy moved approval of the resolution honoring Commissioner Dandrea. Commissioner Kramer seconded the motion. It passed unanimously.

Next Chair Alton said there is a resolution for Commissioner Soliving Kong, who has finished his

term. Mr. Kong was unable to come to the meeting today because he's so busy at his job at the legislature this month.

Commissioner Gordon read the resolution thanking Commissioner Soliving Kong, who was appointed in 1997 and served three terms on the Commission.

**MOTION:** *Commissioner Cudahy moved approval of the resolution honoring Commissioner Kong. Commissioner Margulies seconded the motion. It passed unanimously.*

#### **IV. Planning Administrator's Announcements**

Larry Soderholm reported on planning-related business at the City Council for last week and their agenda for next week.

#### **V. Zoning Committee**

##### **OLD BUSINESS**

#06-058-918 Stepping Stone Theatre – Review of parking agreement as required by conditional Use Permit approved April 31, 2006. 873 Portland Avenue, NW corner at Victoria.  
(Patricia James, 651/266-6639)

**MOTION:** *Commissioner Morton moved the Zoning Committee's recommendation to approve parking agreement with conditions. The motion carried unanimously on a voice vote.*

#07-025-965 K & L Sales – Conditional Use Permit for outdoor auto sales. 1523 Como Avenue, NW corner at Arona. (Sarah Zorn, 651/266-6560)

*Commissioner Morton reported that K & L Sales has requested their application be withdrawn.*

##### **NEW BUSINESS**

#07-043-352 M and T Management – Enlargement of nonconforming commercial use by expanding to second floor. 1338 Bayard Avenue, SE corner at Hamline.  
(Sarah Zorn, 651/266-6570)

**MOTION:** *Commissioner Morton moved the Zoning Committee's recommendation to approve the nonconforming use permit. The motion carried unanimously on a voice vote.*

#07-042-722 Brenda Braget – Conditional Use Permit for a carriage house dwelling. 942 Summit Avenue between Milton & Chatsworth. (Sarah Zorn, 651/266-6570)

*Commissioner Morton reported that the application was returned for being incomplete.*

#07-027-041 Firstborne Properties – Rezoning from R4 (One-Family Residential) to B2 (Community Business) 1337 Pascal Street North, SW corner at Bison Avenue.  
(Allan Torstenson, 651/266-6579)

*Commissioner Morton reported that the Zoning Committee laid this case over to the April 12,*

**2007 meeting.**

#07-022-733 Home Depot – Site Plan Review for a new Home Depot Store. 429 Pascal Street. (Tom Beach, 651/266-9086)

***Commissioner Morton reported that the applicant asked for a continuance to the May 10, 2007 meeting.***

#07-043-737 and #07-043-921 Holman Field Subdrain Improvements – Conditional Use permit for storm sewer work in floodway and variances of setback from ordinary high water level, development on slopes greater than 12% and rehabilitation of slopes greater than 18%. And modification of approved sit plan for Holman Field drainage improvements. 644 Bayfield Street. (Patricia James, 651/266-6639 and Tom Beach, 651/266-9086)

Commissioner Morton presented the two cases. There are three resolutions before the Commission. The first finds that the MAC violated the approved site plan from 2005. The second approves a conditional use permit and variances for a modified site plan, and the third approves the modified site plan.

**MAIN MOTION:** *Commissioner Morton moved the Zoning Committee's recommendation to approve the three resolutions concerning the violation, the conditional use permit and variances, and the site plan approval.*

Upon questions of commissioners, Tom Beach, LIEP site plan review staff, and Patricia James, PED zoning staff, provided additional background regarding the zoning cases. They showed drawings submitted by MAC depicting the original and revised floodwall location as it relates to the sewer location. Staff concluded that the MAC had probably always planned for the storm sewer to be placed in its present location, but that the plans they submitted did not show this. Therefore the floodwall will not be moved toward the river as a result of the drainage work.

Commissioner Nelson expressed concern that there are consequences for these errors on the part of the applicant beyond a performance bond.

**MOTION TO AMEND:** *Commissioner Nelson moved to add a condition requiring MAC to increase its landscaping budget by 25% to provide for additional plants in the area where the sewer work is closer to the river than shown on the approved plans. This amendment would be inserted into the two resolutions dealing with the conditional use permit and the site plan review. Commissioner Cudahy seconded the motion.*

There was discussion on the motion concerning the requirements of the proposed condition on existing the resolution's condition for a performance bond and the relationship of both to the performance bond required as part of the floodwall approval. Commissioner Nelson stated he was concerned that if the budget is not increased, the MAC would simply space the plants farther apart. Commissioner Gordon argued that MAC may need to increase its landscaping budget by more than 25% to comply with the wording in the resolution from the Zoning Committee and suggested the amendment should say "at least 25%."

**FRIENDLY AMENDMENT:** *Commissioner Nelson and Commissioner Cudahy revised their motion to add “a minimum of 25% over what was originally budgeted for the landscaping.”*

Commissioner Bellus and Commissioner Margulies expressed concern about putting out a number. The condition might be more effective if it specified an end result. After additional discussion of performance bonds, Commissioner Gordon stated that he would support the motion.

*The motion to amend passed on a voice vote.*

**SECOND MOTION TO AMEND:** *Commissioner Bellus moved to add a condition that the landscaping plan must be reviewed and approved by the Saint Paul Design Center, the Minnesota DNR, and the Saint Paul Planning Commission. This amendment would also be inserted into the two resolutions dealing with the conditional use permit and the site plan review. Commissioner Cudahy seconded the motion.*

There was a brief discussion of whether the Commission should be involved in the site plan review or whether it was a technical matter that should be left to the staff.

*The motion to amend passed on a voice vote.*

Chair Alton asked the body to consider the resolution finding that MAC was in violation of their previous permit separately, since it was not amended. It is the two-page resolution.

**MAIN MOTION ON VIOLATION OF THE 2005 SITE PLAN:** *Commissioner Morton moved the Zoning Committee’s recommendation to find that a violation of the approved site plan occurred. The motion carried unanimously on a voice vote.*

Next Chair Alton asked the body to consider the two longer resolutions together, as amended--one approving a conditional use permit for storm sewer work in the floodway with certain variances, and the other approving the site plan for sewer and drainage work. He said that the vote today would be a preliminary approval of MAC's applications, but that he will ask the Commission to vote again in two weeks on the actual resolutions. He asked the staff to incorporate the amendments into the two resolutions so that the Commission will be clear about the specific wording when it votes on the resolutions next time.

**MAIN MOTION ON CONDITIONAL USE PERMIT AND SITE PLAN:** *Commissioner Morton moved the Zoning Committee’s recommendation to approve the applications for the conditional use permit and variances and for the site plan, both subject to conditions, including the amendments, and with the understanding that the written resolutions will be voted on at the next Planning Commission meeting. The motion carried on a voice vote.*

## **VI. Report of the Broadband Advisory Committee: Guest Presentation**

Andrea Casselton, Director of the City's Office of Technology and Communications, made a presentation about the impact of information technology on our economy and society. She used PowerPoint slides to illustrate important points. She said we have moved toward a self-service culture. We use ATMs and don't need tellers. Many employees can manage their job benefits online, again not having to talk to anyone. We have self check-outs at some stores; we can pay at the pump for gas. We purchase airline tickets, hotel reservations, and lots of stuff online. A lot of

education programs are also done online. Technology is making all this possible.

Ms. Casselton asked Commissioners to think about communications. How many have already checked their email this morning or used their cell phone? Our ready access to information on the internet is changing our lives. You can take a document and share it with someone in China in a second. Or, think about how we spend our leisure time. We can download music, books, and movies. We can make our own play lists, or reserve library books. We live in an age of information.

We all now have new electronic equipment and gadgets that we didn't have twenty years ago. But the essence of the information age is not in our phones or laptop computers or PDAs or Blackberries. The essence of the information age is in the connectivity, the networks that link us together globally. So if you have a computer that is not connected to anything you can only do certain things, like word processing or making excel spreadsheets. But once you hook your computer up to the internet you have access to the world. You can purchase a service, or do research. Same thing with your TV. If it is just hooked up to your DVD player, you can only play DVDs that you have. But once it is connected to cable you can get endless selections along with many other services.

Connectivity is what broadband is really all about. There are various wired and wireless technologies. Right now the United States is falling behind and there is a lot of controversy about whether we need broadband. WiFi speeds are relatively low, and won't give us much capacity to grow. Broadband fiber optic cable would give us give us tremendous capacity for the future. Wireless is less expensive, a low-end service option that can be done more quickly. But should the City's end goal be to have broadband fiber optic cable available to every house and business in the city? Should it be a public system, a private system, or a mixed public-private system? Cities around the world are working on these questions, and the leaders have already begun new systems. The broadband advisory committee was created to think about and do research on these issues.

Discussion followed the presentation.

## **VII. Comprehensive Planning Committee**

Chair Alton announced that the update from Parks and Recreation Comprehensive Task Force will be continued to the next meeting, Friday, April 20, 2007.

## **VIII. Neighborhood and Current Planning Committee**

None

## **IX. Communications Commission**

Commissioner Kramer stated that after the last Planning Commission meeting, Chair Alton sent a letter in support of the Capitol Restoration Project to Ms. Badgerow, Commissioner of the Minnesota Department of Administration, in accordance with the Commission's earlier motion.

**X. Task Force Reports**

Commissioner Faricy stated that the last Ford Task Force meeting was canceled and the next meeting is on April 16, 2007. Commissioner Faricy called attention to the letter from the Ford Site Planning Task Force to the Planning Commission regarding the proposed Mississippi River Critical Area Zoning Amendments. The task force requests to that no action be taken on this with regard to the Ford site until the task force has had enough time to develop a plan. A copy of the letter is in the packet for today's meeting.

Commissioner Gordon distributed a hand out from the Neighborhood Star Program with the results from the small grant application cycle.

**XI. Old Business**

None

**XII. New Business**

None

**XIII. Adjournment**

Meeting adjourned at 10:48 a.m.

Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,

Approved \_\_\_\_\_  
(Date)

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Larry Soderholm, AICP  
Planning Administrator

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Marilyn Porter  
Secretary of the Planning Commission